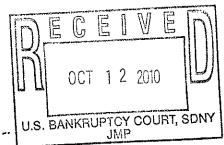
Pg 1 of 10

Cleijpool, G.J and Van der Sande, J.M. Trevierenlei 18 2900 Schoten Belgium



To:

(i)
The Chambers of the Honorable James M. Peck
One Bowling Green
Courtroom 601
New York
New York 10004
United States of America

(ii)
Weil Gotshal & Manges LLP
attn: Shai Waisman, Esq.
767 Fifth Avenue
New York
New York 10153
United States of America

The office of the United States trustee for the Southern District of New York
Attn: Andy Velez-Rivera, Esq., Paul Schwartzberg, Esq., Brian Masumoto, Esq., Linda
Riffkin, Esq., and Tracy Hope Davis; Esq.
33 Whitehall Street, 21st Floor
New York
New York
10004
United States of America

Milbank, Tweed, Hadley & McCloy LLP
Attn: Dennis F. Dunne, Esq., Dennis O'Donnell, Esq., and Evan Fleck, Esq
1 Chase Manhattan Plaza
New York
New York 10005
United States of America

And copy to

United States Bankruptcy Court Southern District of New York

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V

Lehman Brothers Holdings Claims Processing

c/o Epiq Bankruptcy Solutions, LLC

757 Third AVE - (FDR Station, P.O. Box 5076)

3 Rd Floor (New York)

New York (New York 10150-5076)

Whited States of America

B- Schoten, 8 october 2010
Trevierenlei 18 Belgium

Dear Madam, Dear Sir,

<u>Name of the Bankruptcy Court</u>: United States Bankruptcy Court Southern District of New York (hereafter referred to as the "Bankruptcy Court")

<u>Names of the Debtors</u>: Lehman Brothers Holdings Inc. and certain of its affiliates (hereafter referred to as the "Debtors")

<u>Case Number</u>: Chapter 11 Case No. 08-13555 (JMP) (Jointly Administered) (hereafter referred to as the "Chapter 11 filing")

<u>Claimants</u>: Mr. G.J. CLEIJPOOL and Mrs. J.M. VAN DER SANDE, whose domicile is located at Trevierenlei 18, 2900 Schoten (Belgium) (hereafter referred as the "Claimant")

Object of the present letter: opposition to the disallowance of claim number 64705

- 1. We, the Claimants, refer to the letter dated September 13th, 2010 sent by the attorneys to the Debtors, as enclosed (see <u>Schedule 1</u>) (hereafter referred to as the "Objection").
- 2. As a preliminary comment, please note that we are non-professional investors based in Belgium, and are not familiar with insolvency procedures in the United States of America.

A substantial amount of our liquid assets (USD 248,167.50 – hereafter referred as the "Claim") has been invested into the Debtors' bonds. Please find enclosed (see <u>Schedule 2</u>) documents evidencing the materiality of the Claim.

Following the Chapter 11 filing by the Debtors on September 13th 2008, we have suffered dramatic losses on the aforementioned investment. Should our Claim be disallowed by the Bankruptcy Court, please kindly understand that this would lead to tremendous consequences.

- 3. We understand from the Objection that the Debtors request the Bankruptcy Court to expunge, reduce, reclassify, and/or disallow the Claim on the ground that said Claim has been filed after the November 2, 2009 bar date.
- 4. We vigorously oppose any disallowance of our Claim, since we firmly believe that we have filed our Claim in a timely manner:
 - a. On October 19th 2009, we filed in good faith the proof of claim by e-mail through the dedicated website (www.lehman-claims.com) set up by the administrator of the case, Epiq. We received the very same day a confirmation stating that our Claim has been successfully filed.
 - Please find enclosed as <u>Schedule 3</u> the "Claim Form Filing Confirmation" and the "Guarantee Claim Summary" generated by Epiq.
 - b. On October 21st, 2009, we sent in good faith from Belgium a hard-copy version of the proof of claim by registered mail to the attention of Lehman Brothers Holdings Claims Processing Center c/o Epiq Bankruptcy Solutions, LLC FDR Station, P.O. Box 5076, New York, NY 10150-5076.

Please find enclosed as Schedule 4 the following documents:

- the "Proof of Claim", as signed by the Claimant on October 19th, 2009;
- the invoice relating to the sending of the proof of claim by registered mail issued by the Belgian post office on October 21st, 2009; and
- the stamped proof of sending to the claim administrator.

We understand from the Objection and the "Acknowledgement of Receipt of Proof of Claim" (see Schedule 5) that Epiq, the claim administrator, pretends to have received the proof of claim on November 4th, 2009. We do not agree with such affirmation, since (i) we filed a soft-copy of our Claim by e-mail on October 19th, 2009 and Epiq acknowledged safe receipt of it, and (ii) we sent by post on October 21st, 2009 (12 days before the bar date) a hard-copy version of the proof of claim to the attention of Epiq, it being understood that the deliverance of the hard-copy version should have occurred before November 2nd, 2009, as it is generally expected for any registered mail sent from Belgium to the United States of America.

We therefore strongly oppose any disallowance of our Claim on the ground that the proof of claim has been filed after November 2nd, 2009.

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5. Please understand that unfortunately it is not possible for us to attend any hearing relating to that issue in New-York, since we are based in Belgium. However, should you have any question on that matter, please do not hesitate to contact our Belgian counsel, Mr. Edouard Fremault (Deminor International), Avenue Edmond Van Nieuwenhuyse 6b8, 1160 Brussels (Belgium) (edouard fremault@deminor.com / + 32.2.674.71.10).

Chipfoolvol Vandle

Sincerely yours,

Cleijpool, G.J and Van der Sande, J.M.

Schedules:

- 1. Letter dated September 13th 2010 sent by the attorneys of the Debtors. P 5-16
- 2. Documents evidencing the materiality of the Claim.
- 3. "Claim Form Filing Confirmation" and "Guarantee Claim Summary".
- 4. Proof of claim; invoice issued by the Belgian post office and copy of the stamped proof of sending.
- 5. "Acknowledgment of Receipt of Proof of Claim"

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re

Chapter 11 Case No.

LEHMAN BROTHERS HOLDINGS INC., et al.,

08-13555 (JMP)

(Jointly Administered)

\$

LBH OMNI42 09-13-2010 (MERGE2,TXNUM2) 4000111455 MAIL ID *** 6033298640 *** BSIUSE: 93

Debtors.

CLEIPOOL, G.J. & VAN DER SANDE, J.M. TREVIERENLEI 18 SCHOTEN, B-2900 BELGIUM

THIS IS A NOTICE REGARDING YOUR CLAIM(S). YOU MUST READ IT AND TAKE ACTION IF YOU DISAGREE WITH THE OBJECTION.

IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE OR THE OBJECTION, PLEASE CONTACT DEBTORS' COUNSEL, CASEY BURTON, ESQ., AT 214-746-7700.

NOTICE OF HEARING ON DEBTORS' FORTY-SECOND OMNIBUS OBJECTION TO CLAIMS (LATE-FILED LEHMAN PROGRAMS SECURITIES CLAIMS)

CLAIM TO BE DISALLOWED & EXPUNGED Creditor Name and Address: CLEIPOOL, G.J. & VAN DER SANDE, J.M. TREVIERENLEI 18 SCHOTEN, B-2900 BELGIUM Debtor: Classification and Amount: UNSECURED: \$ 248,167.50

PLEASE TAKE NOTICE that, on September 13, 2010, Lehman Brothers Holdings Inc. and certain of its affiliates (collectively, the "<u>Debtors</u>") filed their Forty-Second Omnibus Objection to Claims (Late-Filed Lehman Programs Securities Claims) (the "<u>Objection</u>") with the United States Bankruptcy Court for the Southern District of New York (the "<u>Bankruptcy Court</u>"). ¹

The Objection requests that the Bankruptcy Court expunge, reduce, reclassify, and/or disallow your claim(s) listed above under CLAIM(S) TO BE DISALLOWED & EXPUNGED on the ground that said claims(s) violate the Bankruptcy Court's July 2, 2009 order setting forth the procedures and deadlines for filing proofs of claim in these chapter 11 cases (the "Bar Date Order") [Docket No. 4271], as they were filed after the November 2, 2009 bar date. Any claim that the Bankruptcy Court expunges and disallows will be treated as if it had not been filed and you will not be entitled to any distribution on account thereof.

If you do NOT oppose the disallowance, expungement, reduction or reclassification of your claim(s) listed above under CLAIM(S) TO BE DISALLOWED & EXPUNGED, then you do NOT need to file a written response to the Objection and you do NOT need to appear at the hearing.

If you DO oppose the disallowance, expungement, reduction or reclassification of your claim(s) listed above under CLAIM(S) TO BE DISALLOWED & EXPUNGED, then you MUST file with the Court and serve on the parties listed below a

A list of the Debtors, along with the last four digits of each Debtor's federal tax identification number, is available on the Debtors' website at http://www.lehman-docket.com.



08-13555-mg Doc 12175 Filed 10/12/10 Entered 10/20/10 10:52:22 21/10/09 Ronsite Kund Hansite Kund Halk. Pg 6 of 10 United States Bankruptcy Court/Southern District of New York LEHMAN SECURITIES PROGRAMS Lehman Brothers Holdings Claims Processing Center c/o Epiq Bankruptcy Solutions, LLC PROOF OF CLAIM FDR Station, P.O. Box 5076 New York, NY 10150-5076 In Re: Chapter 11 Lehman Brothers Holdings Inc., et al., Case No. 08-13555 (JMP) Debtors. (Jointly Administered) Note: This form may not be used to file claims other than those based on Lehman Programs Securities as listed on http://www.lehman-docket.com/as of July 17, 2009 THIS SPACE IS FOR COURT USE ONLY Name and address of Creditor: (and name and address where notices should be sent if different from ☐ Check this box to indicate that this Creditor) MR. C.J. CLEIJPOOL OCACL

MRS. J. M. VAN DER SANDE

TREVIERENLEI 18 B. 2900 SCHOTEN (BELGIUM)

+32/36582945

Telephone number: Email Address: CLEYPOOL. JOHN & SKYNET. DE claim amends a previously filed claim. Court Claim Number: (If known) Filed on: Name and address where payment should be sent (if different from above) Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. Telephone number: Email Address: 1. Provide the total amount of your claim based on Lehman Programs Securities. Your claim amount must be the amount owed under your Lehman Programs Securities as of September 15, 2008, whether you owned the Lehman Programs Securities on September 15, 2008 or acquired them thereafter, and whether such claim matured or became fixed or liquidated before or after September 15, 2008. The claim amount must be stated in United States dollars, using the exchange rate as applicable on September 15, 2008. If you are filing this claim with respect to more than one Lehman Programs Security, you may attach a schedule with the claim amounts for each Lehman Programs Security to which this claim relates. Amount of Claim: \$ 248.767.50 (Required) Check this box if the amount of claim includes interest or other charges in addition to the principal amount due on the Lehman Programs Securities. Provide the International Securities Identification Number (ISIN) for each Lehman Programs Security to which this claim relates. If you are filing this claim with respect to more than one Lehman Programs Security, you may attach a schedule with the ISINs for the Lehman Programs Securities to which this claim relates. International Securities Identification Number (ISIN): X5022 958 42 96 (Required) 3. Provide the Clearstream Bank Blocking Number, a Euroclear Bank Electronic Reference Number, or other depository blocking reference number, as appropriate (each, a "Blocking Number") for each Lehman Programs Security for which you are filing a claim. You must acquire a Blocking Number from your accountholder (i.e. the bank, broker or other entity that holds such securities on your behalf). If you are filing this claim with respect to more than one Lehman Programs Security, you may attach a schedule with the Blocking Numbers for each Lehman Programs Security to which this claim Clearstream Bank Blocking Number, Euroclear Bank Electronic Instruction Reference Number and or other depository blocking reference 602 66 61 (Required) 4. Provide the Clearstream Bank, Euroclear Bank or other depository participant account number related to your Lehman Programs Securities for which you are filing this claim. You must acquire the relevant Clearstream Bank, Euroclear Bank or other depository participant account number from your accountholder (i.e. the bank, broker or other entity that holds such securities on your behalf). Beneficial holders should not provide their personal account Accountholders Euroclear Bank, Clearstream Bank or Other Depository Participant Account Number: (Required) 5. Consent to Euroclear Bank, Clearstream Bank or Other Depository: By filing this claim, you FOR COURT USE ONLY consent to, and are deemed to have authorized, Euroclear Bank, Clearstream Bank or other depository to disclose your identity and holdings of Lehman Programs Securities to the Debtors for the purpose of Signature: The person filing this claim must sign it. Sign and print name and title, if any,

of the creditor or other person authorized to file this claim and state address and telephone

number if different from the notice address above. Attach copy of power of attorney, if any.

Penalty for presenting fraudulient claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

Main Document pagina 1 van 1

3

CLAIM FORM FILING CONFIRMATION

Your claim form was successfully filed on 10/19/2005 at 9:54 AW Central. Please print this page as proof of your filing.

G.J. Cleijpool Treviereniei 18 Schoten, 2900 BELGIUM

Name of Debtor, or other entity, against which you have a direct claim (the "Obligor")

Lehman Brothers Holdings Inc. (08-13555)

If such Obligor is in a bankruptcy or insolvency proceeding, administration, receivership, conservatorship, liquidation or similar proceeding (and is not a Debtor in these chapter 11 cases), please provide the proof of claim and any attachments thereto filed against such Obligor or describe the claim against such Obligor if a proof of claim has not yet been filed.

isin code XS 0229584296

List the agreement(s) under which your claim arises against the Obligor and, unless you have uploaded information in compliance with question 4a of the Derivative Questionnaire, provide documentation evidencing your claim and supporting the calculation of the claim amount.

isin code XS0229584296

Amount of claim against Obligor

\$248,167.50

Name of Debtor that guarantees the payment/obligations of the Obligor against which you have a direct claim (the "Guarantor"):

Lehman Brothers Holdings Inc. (08-13555)

Please upload the specific promise, representation and/or agreement(s) (including any corporate resolutions) under which your claim arises against the Guarantor and describe the obligations/performance that is guaranteed. If you do not have possession of such document, please upload a written explanation of such guarantee in reasonable detail. You do not need to comply with this question if you have uploaded information in compliance with question 4a of the Derivative Questionnaire.

isin code XS 0229584296

Amount of claim against the Guarantor

\$248,167.50

A PD



clefipoot | signout

NEW CLAIM / CLAIM TRACKING / CREDITOR INFO / CONTACT



GUARANTEE CLAIM SUMMARY

G.J. Cleijpool Treviereniei 18 Schoten, 2900 BELGIUM

Name of Debtor, or other entity, against which you have a direct claim the "Obligor")

If such Obligor is in a bankruptcy or insolvency proceeding, administration, receivership, conservatorship, liquidation or similar proceeding (and is not a Debtor in these chapter 11 cases), please provide the proof of claim and any ettachments thereto filed against such Obligor or describe the claim against such Obligor if a proof of claim has not yet been filed.

List the agreement(s) under which your claim arises against the Obligor and, unless you have uploaded information in compliance with question 4a of the Derivative Questionnaire, provide documentation evidencing your claim and supporting the calculation of the claim amount.

Amount of daim against Obligor

Name of Debtor that guarantees the payment/obligations of the Obligor against which you have a direct claim (the "Guarantor"):

Please upload the specific promise, representation and/or agreement(s) (including any corporate resolutions) under which your claim arises against the Guarantor and describe the obligations/performance that is guaranteed. If you do not have possession of such document, please upload a written explanation of such guarantee in reasonable detail. You do not need to comply with this question if you have uploaded information in compliance with question 4a of the Derivative Questionnaire.

Amount of claim against the Guarantor

Lehman Brothers Holdings Inc. (08-13555)

rsin code XS 0229584296

ısin code XS0229584296

\$248,167.50

Lehman Brothers Holdings Inc. (08-13555)

ısin code XS 0229584296

\$248,167.50

FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

G. SWIT

©Epiq Systems, Inc.

A P.9

08-13555-mg Doc 12175 Filed 10/12/10 Entered 10/20/10 10:52:22 Main Document Pg 9 of 10

DE POST

AFGIFTERWIJS VAN EEN INTERNATIONALE AAMGETEKENDE ZENDING RECEPISSE DE DEPÔT D'UN ENVOI RECOMMANDÉ INTERNATIONAL EINLIEFERUNGSSCHEIN FÜR EINE LIKTERNATIONALE INTERNATIONALE EINSCHREIBESENDUNG

BRASSCHAAT CENTRUM AUGUSTIJHSLEI 9 2930 BRASSCHAAT TEL. 036502130 FAX. 036502138

Ha - Vr : 9:00 - 12:30 / 14:00 - 17:00

Za : 9:00 - 12:30

Lolinan Brothers Holdings Cloims Processing Center Clo Paris Tankenstey Solutions

FOR Station PUBOX 5076 New York, MY 10150-5076 USA Kassa 3416 Kasticketnummer 341600095074

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Cash	5,65
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Bedankt voor uw bezoek, tot ziens

Anita 13692861 Retail 443718772493

21/10/2009 12:03





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Koop uu postzegels zonder u te hoeven verplaatsen op uuu.post.be/eshop.

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P 10

EPIQ SYSTEMS 757 THIRD AVENUE THIRD FLOOR NEW YORK, NY 10017

P 646 282 2500 F 646 282 2501 757 THIRD AVENUE, NEW YORK, NY 10017 WWW.EPIQSYSTEMS.COM



MAILID *** 0008274851 ***

**** LBH CLMLTR (MERGE2,TXNUM2) 4000111455 ****

CLEIJPOOL, G.J. & VAN DER SANDE, J.M. TREVIERENLEI 18 SCHOTEN, B-2900 BELGIUM

January 19, 2010

ACKNOWLEDGEMENT OF RECEIPT OF PROOF OF CLAIM

This letter serves as acknowledgement that the claim identified below has been recorded by Epiq Bankruptcy Solutions, LLC, the court-approved claims agent, on the claims register in the LEHMAN BROTHERS HOLDINGS INC. case. It is also publically available at the following website address: http://chapter11.epiqsystems.com/LBH. To ensure that your claim has been recorded correctly, please review the following information:

Debtor:

LEHMAN BROTHERS HOLDINGS, INC.

Case Number:

08-13555

Creditor:

CLEIJPOOL, G.J. & VAN DER SANDE, J.M.

Date Received:

11/04/2009

Claim Number:

64705

Please note that nothing in this Acknowledgement should be construed to mean or imply that your claim is being allowed. The Debtor may elect to object to the identified claim on various grounds.

We strongly encourage you to review your submitted proof of claim on our website at the address listed above. To find your imaged claim, click on the "Filed Claims & Schedules" link at the top of the page, type in your claim number in the "Claim #" field, and click "Search."

WHEN REVIEWING YOUR CLAIM, PLEASE BE AWARE OF ANY PERSONALLY IDENTIFIABLE INFORMATION ("PII") SUBMITTED BY YOU. PII can include information used to distinguish or trace an individual's identity, such as their social security number, biometric records, drivers license number, account number, credit or debit card number (including any passwords, acces codes or PIN numbers), etc., alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc.

The Proof of Claim Form allows for redacted documents. If you identify any PII in your filed claim, please contact us immediately at (646) 282-2400 or via our contact form on our website at http://www.epiq11.com/contact.aspx so we may assist you in redacting this information. Please be sure to specify the client/debtor about which you are inquiring.

You may also contact by either of the methods listed above should you have any other questions.

EPIQ BANKRUPTCY SOLUTIONS, LLC

N P11